

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JESSICA HIX and JADE LEE ANDERSON,

No. 3:23-cv-00623-AR

Plaintiffs,

ORDER

v.

DAVE & BUSTER'S MANAGEMENT
CORPORATION, INC. dba DAVE &
BUSTER'S,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Armistead issued a Findings and Recommendation on November 14, 2023, in which he recommends that this Court deny Defendant's Motion to Compel Arbitration. F&R, ECF 21. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Defendant filed timely objections to the Magistrate Judge's Findings and Recommendation. Def. Obj., ECF 25. When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


The Court has carefully considered Defendant's objections and concludes that there is no basis to modify the Findings and Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court adopts Magistrate Judge Armistead's Findings and Recommendation [21]. Therefore, Defendant's Motion to Compel Arbitration [9] is DENIED.

IT IS SO ORDERED.

DATED: January 29, 2024.


MARCO A. HERNANDEZ
United States District Judge